

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KYLE DAVID MILTON,
Plaintiff,

v.

B.M. TRATE, et al.,
Defendants.

No. 1:22-cv-00988-ADA-EPG (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

ORDER DENYING PLAINTIFF'S MOTION
FOR INJUNCTIVE RELIEF, WITHOUT
PREJUDICE

(ECF Nos. 19, 24)

Plaintiff Kyle David Milton ("Plaintiff") is incarcerated at Atwater U.S. Penitentiary and is proceeding *pro se* and *in forma pauperis* in this civil rights action. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On March 31, 2023, Plaintiff filed a motion for a preliminary injunction. (ECF No. 19.) On April 20, 2023, the assigned Magistrate Judge issued findings and recommendations, recommending that Plaintiff's motion be denied without prejudice to Plaintiff filing another motion for preliminary injunction that includes supporting evidence. (ECF No. 24 at 3.) The parties had the opportunity to file objections to the findings and recommendations. The deadline to file objections has passed, and no objections have been filed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, the Court concludes that the Magistrate Judge's findings and recommendations are supported by the record and by proper

analysis.

Accordingly,

1. The findings and recommendations issued on April 20, 2023, (ECF No. 24), are adopted in full; and
2. Plaintiff's motion for injunctive relief, (ECF No. 19), is DENIED, without prejudice to Plaintiff filing another motion for a preliminary injunction that includes supporting evidence.

IT IS SO ORDERED.

Dated: June 30, 2023


UNITED STATES DISTRICT JUDGE